



2874

PATENT

Attorney Docket No.: A-68392-2/DJB/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated:-

Signed

Christine P. Peters

**INFORMATION DISCLOSURE STATEMENT AND
STATEMENT OF RELATEDNESS**

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the references are enclosed.

Serial No.: 09/651,181
Filed: August 30, 2000

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. United States Serial Number 08/944,850, filed October 6, 1997 and U.S.S.N. 09/287,573, filed April 6, 1999.
2. United States Patent Number 6,023,540, issued February 8, 2000; U.S.S.N. 09/151,877, filed September 11, 1998 and U.S.S.N. 09/450,829, filed November 29, 1999.
3. U.S.S.N. 09/189,543, filed November 10, 1998; U.S.S.N. 09/344,526, filed June 24, 19996 and U.S.S.N. 09/748,706, filed December 22, 2000.
4. U.S.S.N. 09/500,555, filed February 9, 2000 and U.S.S.N. 09/636,387, filed August 9, 2000.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

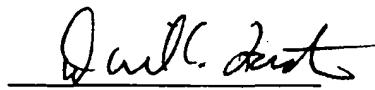
Serial No.: 09/651,181
Filed: August 30, 2000

The Commissioner is authorized to charge any additional fees which may be required,
or credit any overpayment to Deposit Account No. 06-1300
(Our Order No. A-68392-2/DJB/RMS/DCF).

Respectfully submitted,

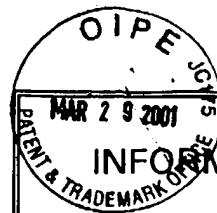
FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: March 23, 2001



David C. Foster
Reg. No. 44,685

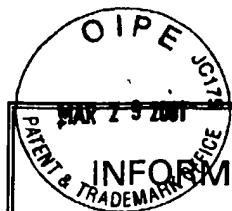
Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
1046979



SHEET 1 OF 5

INFORMATION DISCLOSURE CITATION				ATTY. DOCKET NO. A-68392-2/DJB/RMS/DCF	SERIAL NO. 09/651,181		
				APPLICANT DICKINSON et al.			
				FILING DATE August 30, 2000	GROUP 2874		
PTO-1449							
EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	1	4,822,746	4/1989	Walt			
	2	5,002,867	3/1991	Macevicz			
	3	5,114,864	5/1992	Walt			
	4	5,105,305	4/1992	Betzig et al.			
	5	5,143,853	9/1992	Walt			
	6	5,028,545	7/1991	Soini			
	7	5,244,636	9/1993	Walt et al.			
	8	5,244,813	9/1993	Walt et al.			
	9	5,250,264	10/1993	Walt et al.			
	10	5,252,494	10/1993	Walt			
	11	5,254,477	10/1993	Walt			
	12	5,298,741	3/1994	Walt et al.			
	13	5,320,814	6/1994	Walt et al.			
	14	5,496,997	3/1996	Pope			
	15	5,512,490	4/1996	Walt et al.			
	16	5,573,909	11/1996	Singer et al.			
	17	5,633,972	5/1997	Walt et al.			
	18	4,499,052	2/1985	Fulwyler			
	19	5,690,894	11/1997	Pinkel et al.			
	20	5,194,300	3/1993	Cheung			
	21	5,132,242	7/1992	Cheung			
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


**INFORMATION DISCLOSURE
CITATION**

PTO-1449

 ATTY. DOCKET NO.
A-68392-2/DJB/RMS/DCF

 SERIAL NO.
09/651,181

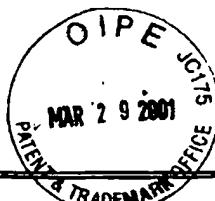
 APPLICANT
DICKINSON et al.

 FILING DATE
August 30, 2000

 GROUP
2874

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	22 4,200,110	4/1980	Peterson et al.			
	23 4,824,789	4/1989	Yafuso et al.			
	24 4,682,895	7/1987	Costello			
	25 4,785,814	11/1988	Kane			
	26 5,518,883	5/1996	Soini			
	27 4,999,306	3/1991	Yafuso et al.			
	28 5,302,509	4/1994	Cheeseman			
	29 5,357,590	10/1994	Auracher			
	30 5,435,724	7/1995	Goodman et al.			
	31 5,481,629	1/1996	Tabuchi			
	32 5,575,849	11/1996	Honda et al.			
	33 5,639,603	6/1997	Dower et al.			
	34 5,656,241	8/1997	Seifert et al.			
	35 5,814,524	10/1998	Walt			
	36 5,863,708	1/1999	Zanzucchi et al.			
	37 5,494,798	2/1996	Gerdt et al.			
	38 5,565,324	10/1996	Still et al.			
	39 5,516,635	5/1996	Ekins et al.			
	40 5,900,481	5/1999	Lough et al.			
	41 5,888,723	3/1999	Sutton et al.			
	42 5,380,489	1/1995	Sutton et al.			
	43 5,474,895	12/1995	Ishii et al.			
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



SHEET 3 OF 5

INFORMATION DISCLOSURE CITATION

PTO-1449

ATTY. DOCKET NO.
A-68392-2/DJB/RMS/DCF

SERIAL NO.
09/651,181

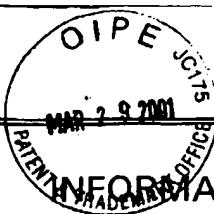
APPLICANT
DICKINSON et al.

FILING DATE
August 30, 2000

GROUP
2874

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
44	0 478 319	4/1992	EP				
45	0 269 764	6/1988	EP				
46	93/02360	2/1993	PCT				
47	89/11101	11/1989	PCT				
48	97/14028	4/1997	PCT				
49	0 723 146	7/1996	EP				
50	98/40726	9/1998	PCT				
51	0 392 546	10/1990	EP				
52	98/53093	11/1998	PCT				
53	97/40385	10/1997	PCT				
54	98/53300	11/1998	PCT				
55	00/04372	1/2000	PCT				
56	99/67641	12/1999	PCT				
57	00/39587	7/2000	PCT				
58	00/71243	11/2000	PCT				
EXAMINER			DATE CONSIDERED				

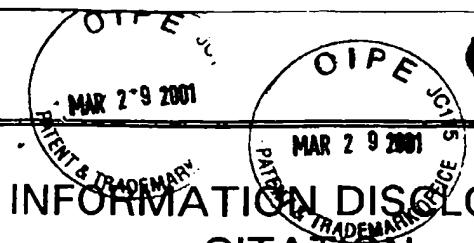
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



SHEET 4 OF 5

INFORMATION DISCLOSURE CITATION PTO-1449				ATTY. DOCKET NO. A-68392-2/DJB/RMS/DCF	SERIAL NO. 09/651,181			
				APPLICANT DICKINSON et al.				
FILING DATE August 30, 2000				GROUP 2874				
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE		
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation		
	59	97/14928	4/1997	PCT			Yes	No
	60	99/18434	4/1999	PCT				
	61	99/67414	12/1999	PCT				
	62	00/48000	9/2000	PCT				
	63	00/39587	7/2000	PCT				
	64	00/16101	3/2000	PCT				
	65	00/63437	10/2000	PCT				
	66	00/75373	12/2000	PCT				
	67	00/71995	11/2000	PCT				
68	00/47996	8/2000	PCT					
69	Ferguson et al., "A Fiber-Optic DNA Biosensor Microarray for the Analysis of Gene Expression," <i>Nature Biotechnology</i> , 14:1681-1684 (1996).							
70	Healey et al., "Improved Fiber-Optic Chemical Sensor for Penicillin," <i>Anal. Chem.</i> 67(24):4471-4476 (1995).							
71	Healey et al., "Development of a Penicillin Biosensor Using a Single Optical Imaging Fiber," <i>SPIE Proc.</i> 2388:568-573 (1995).							
72	Michael et al., "Making Sensors out of Disarray: Optical Sensor Microarrays," <i>Proc. SPIE</i> , 3270: 34-41 (1998).							
73	Michael et al., "Randomly Ordered Addressable High-Density Optical Sensor Arrays," <i>Anal. Chem.</i> 70(7): 1242-1248 (April 1998).							
74	Michael et al., "Fabrication of Micro- and Nanostructures Using Optical Imaging Fibers and their Use as Chemical Sensors," <i>Proc. 3rd Intl. Symp., Microstructures and Microfabricated Systems</i> , ed. P.J. Hesketh, et al., v. 97-5, <i>Electrochem. Soc.</i> , 152-157 (Aug. 1997).							
75	Pantano et al., "Ordered Nanowell Arrays," <i>Chem. Mater.</i> , 8(12): 2832-2835 (1996).							
76	Walt, "Fiber-Optic Sensors for Continuous Clinical Monitoring," <i>Proc. IEEE</i> , 80(6): 903-911 (1992).							
EXAMINER			DATE CONSIDERED					

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 8085 1449A.FRM (8/95)



SHEET 5 of 5

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. A-68392-2/DJB/RMS/DCF	SERIAL NO. 09/651,181
		APPLICANT DICKINSON et al.	
PTO-1449		FILING DATE August 30, 2000	GROUP 2874

77	Anonymous, "Fluorescent Microspheres," Tech. Note 19, Bangs Laboratories, (Fishers, In) February 1997.
78	Anonymous, "Microsphere Selection Guide," Bangs Laboratories, (Fisher, In) September 1998.
79	Bangs, L.B., "Immunological Applications of Microspheres," The Latex Course, Bangs Laboratories (Carmel, IN) April 1996.
80	Peterson, J. et al., "Fiber Optic pH Probe for Physiological Use," Anal. Chem., 52:864-869 (1980).
81	Pope, E. "Fiber Optic Chemical Microsensors Employing Optically Active Silica Microspheres," SPIE, 2388:245-256 (1995).
82	Strachan et al., "A Rapid General Method for the Identification of PCR Products Using a Fibre-Optic Biosensor and its Application to the Detection of Listeria," Letters in Applied Microbiology, 21:5-9 (1995).
83	Abel et al., "Fiber-Optic Evanescent Wave Biosensor for the Detection of Oligonucleotides," Anal. Chem. 68:2905-2912 (1996).
84	Piunno et al., "Fiber-Optic DNA Sensor for Fluorometric Nucleic Acid Determination," Anal. Chem., 67:2635-2643 (1995).
85	Drmanac, R. et al., "Sequencing by Oligonucleotide Hybridization: A Promising Framework in Decoding of the Genome Program," The First International Conference on Electrophoresis, Supercomputing and the Human Genome, Proceeding of the April 10-13, 1990 Conference at Florida State University. Ed. C. Cantor and H. Lim.
86	Drmanac, R. et al., "Prospects for a Miniaturized, Simplified and Frugal Human Genome Project," Scientia Yugoslavica, 16(1-2):97-107 (1990).
87	Drmanac, R. et al., "Sequencing by Hybridization (SBH) with Oligonucleotide Probes as an Integral Approach for the Analysis of Complex Genomes," International Journal of Genome Research, 1(1):59-79 (1992).
88	Drmanac, R. et al., "Sequencing by Hybridization," Automated DNA Sequencing and Analysis, ed. M. Adams, C. Fields and J. Venter. (1994).
89	Barnard et al., "A Fibre-Optic Chemical Sensor with Discrete Sensing Sites," Nature, 353:338-340 (September 1991).
90	Fuh et al., "Single Fibre Optic Fluorescence pH Probe," Analyst, 112:1159-1163 (1987).
91	Magnani et al., "In-Vivo Biomedical Monitoring by Fiber-Optic Systems," Journal of Lightwave Technology, 13(7):1396-1406 (1995).
92	Healey et al., "Fiberoptic DNA Sensor Array Capable of Detecting Point Mutations," Analytical Biochemistry, 251:270-279 (1997)
93	Hirschfeld et al., "Laser-Fiber-Optic 'Optrode' for Real Time In Vivo Blood Carbon Dioxide Level Monitoring," Journal of Lightwave Technology, LT-5(7):1027-1033 (1987)
94	Peterson et al., "Fiber-Optic Sensors for Biomedical Applications," Science, 13:123-127 (1984).
95	Czarnik, "Illuminating the SNP genomic code," Modern Drug Discovery, 1(2):49-55 (1998)
96	Walt, "Fiber Optic Imaging Sensors", Acc. Chem. Res. 31(5):267-278 (1998)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.